



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

Insurance Building, PO Box 43113 • Olympia, Washington 98504-3113 • (360) 902-0555

June 12, 2003

TO: Joe Lehman, Secretary
Department of Corrections

FROM: Marty Brown, Director

SUBJECT: Department of Corrections Report Incident #03-55 Does Not Merit Review

Pursuant to RCW 43.41.370 and the Guidelines For Reporting Incidents to the Office of Financial Management (OFM), the Department of Corrections (DOC) submitted an Incident Report to OFM. The Report notified OFM that on March 5, 2003, Jeremy Snyder, an offender on monetary supervision only, was charged for allegedly killing his infant daughter. He is being held in the Pierce County Jail.

At the time of the incident, the request for appellate review in the case of Couch v. Department of Corrections was pending before the State Supreme Court. The Couch case deals with whether DOC is liable for the intentional acts of an offender who is on monetary supervision only. The Court of Appeals Division II opinion found for the Department. Since this reported incident, the State Supreme Court has rejected the plaintiff's request for appellate review. Therefore, the Court of Appeals decision stands.

RCW 43.41.370(1) requires the Director of OFM to appoint a loss prevention review team when the death of a person, serious injury to a person, or other substantial loss is alleged or suspected to be caused at least in part by the actions of a state agency unless the Director, in his or her discretion, determines that the incident "does not merit review". Applying the criteria for loss prevention reviews, issued November 18, 2002, I have determined that the incident you reported does not merit review. This incident did result in a death, however it does not relate to DOC's systems or practices. In addition, given the recent court decision, it is neither suspected nor alleged that DOC is responsible, in whole or in part, for the incident and resulting harm. Also, given the recent court decision, incidents involving offenders on monetary supervision will not need to be reported in the future.

This decision will be posted on the OFM website. If you have any questions about the criteria or its application to this incident, please contact either Roselyn Marcus at (360) 902-7396 or Gary Robinson at (360) 902-0528.

cc: Kathy Gastreich, DOC, Risk Management & Safety Administrator
Roselyn Marcus, Case Management Coordinator, OFM